

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION (AT DAYTON)

PAYSOURCE, INC., et al.	:	CASE NO. 3:07cv0129
	:	
Plaintiffs,	:	JUDGE WALTER HERBERT RICE
	:	
vs.	:	(Magistrate Judge Sharon L. Ovington)
	:	
MIRABILIS VENTURES, INC., et al.	:	MOTION OF GRAYDON HEAD &
	:	RITCHEY LLP TO WITHDRAW AS
Defendants.	:	COUNSEL FOR DEFENDANT
	:	<u>MICHAEL STANLEY</u>

Pursuant to S.D. Ohio Civ. R. § 83.4(c), Scott K. Jones and Graydon Head & Ritchey LLP move for an order permitting them to withdraw as counsel for Defendant Michael Stanley. Plaintiffs recently filed an amended complaint that did not name Mr. Stanley as a defendant. Accordingly, Mr. Stanley is no longer a party to this action and will not be prejudiced by the withdrawal of his counsel. In addition, counsel request that they be removed from the automatic electronic service list for this case.

A proposed Order will be emailed to the Court pursuant to Section 11. E. 2 of the S.D. Ohio Electronic Filing Policies and Procedures Manual.

Respectfully submitted,

/s/ Scott K. Jones

Scott K. Jones, Trial Attorney (0069859)
GRAYDON HEAD & RITCHEY, LLP
7759 University Drive, Suite H
West Chester, Ohio 45069
Telephone: (513) 755-9500
Facsimile: (513) 755-9588
Email: sjones@graydon.com

Attorney for Defendant Michael Stanley

**MEMORANDUM IN SUPPORT OF MOTION OF GRAYDON HEAD & RITCHEY LLP
TO WITHDRAW AS COUNSEL FOR DEFENDANT MICHAEL STANLEY**

Pursuant to S.D. Ohio Civ. R. 83.4(c), Scott K. Jones and Graydon Head & Ritchey LLP move for an order permitting them to withdraw as counsel for Defendant Michael Stanley.

Good cause exists to permit the withdrawal of counsel. Mr. Stanley was named as a Defendant in this action in Plaintiffs' original complaint. However, on May 27, 2008, Plaintiffs filed an amended complaint, which did not have Mr. Stanley as a defendant. Accordingly, Mr. Stanley is no longer a party to this action and will not be prejudiced by the withdrawal of counsel. Mr. Stanley has been served with a copy of this motion.

Therefore, this Motion of Graydon Head & Ritchey LLP to Withdraw as Counsel for Defendant Michael Stanley should be granted. In addition, counsel requests that they be removed from the automatic electronic service list for this case.

Respectfully submitted,

/s/ Scott K. Jones

Scott K. Jones, Trial Attorney (0069859)
GRAYDON HEAD & RITCHEY, LLP
7759 University Drive, Suite H
West Chester, Ohio 45069
Telephone: (513) 755-9500
Facsimile: (513) 755-9588
Email: sjones@graydon.com

Attorney for Defendant Michael Stanley

CERTIFICATE OF SERVICE

I certify that on the 3rd day of June, 2008, I electronically filed the foregoing Motion of Graydon Head & Ritchey LLP to Withdraw as Counsel with the Clerk of Courts using the CM/ECF system, which will send notification of such filing to the following CM/ECF participants:

Charles J. Faruki
Martin A. Foos
FARUKI IRELAND & COX P.L.L.
500 Courthouse Plaza, S.W.
10 North Ludlow Street
Dayton, OH 45402

David C. Greer
Joseph C. Oehlers
BIESER, GREER & LANDIS LLP
400 National City Center
6 N. Main Street
Dayton, OH 45402

Brian S. Sullivan
Timothy S. Mangan
Seth A. Schwartz
DINSMORE & SHOHL
1900 Chemed Center
255 East Fifth St.
Cincinnati, OH 45202

I hereby certify that on June 3, 2008, I sent the foregoing Motion to the following non-CM/ECF participant by electronic mail or first class U.S. mail, as indicated:

Michael Stanley (Via Electronic Mail)

/s/ Scott K. Jones
Scott K. Jones